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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/109,261	06/30/1998	GANG BAI	042390.P5769	3347
7590 05/11/2009 BLAKELY SOKOLOFF TAYLOR & ZAFMAN SEVENTH FLOOR 12400 WILSHIRE BOULEVARD LOS ANGELES, CA 90025			EXAMINER WARREN, MATTHEW E	
			ART UNIT 2815	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: GANG BAI

Appeal No. 2007-3807
Application 09/109,261
Technology Center 2800

Mailed: May 8, 2009

Before DALE M. SHAW, *Chief Appeals Administrator*

ORDER REMANDING TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 21, 2007. Upon review of the application, it has been determined that a remand to Examiner, via the Office of the Director of the Technology Center, is necessary to consider the following issues and to take necessary corrective action.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on October 5, 2007. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is

ORDERED that this application be returned to the Examiner to:

- 1) consider the Reply Brief filed October 5, 2007, as indicated above;
- and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/bar

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